

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

In re: WC 717 N. Harwood Property, LLC, Debtor.	§ § § § §	Case No. 21-10630-tmd Chapter 11
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**DEBTOR’S MOTION FOR EXPEDITED
INTERIM HEARING ON EMERGENCY MOTION FOR
INTERIM ORDER AUTHORIZING USE OF CASH COLLATERAL [DKT 24]**

TO THE HONORABLE TONY M. DAVIS,
UNITED STATES BANKRUPTCY JUDGE:

WC 717 N. Harwood Property, LLC (the “**Debtor**”), as Debtor in the above styled and captioned bankruptcy case (the “**Bankruptcy Case**”), moves for an expedited interim hearing on its *Emergency Motion for Interim Order Authorizing Use of Cash Collateral and Providing Adequate Protection* [Dkt 24], filed on September 7, 2021 (the “**Cash Collateral Motion**”).¹

1. The Debtor is in immediate need to use the Cash Collateral to pay essential expenses reflected in the Budget.

2. The Debtor and SKW – B (the Debtor’s senior secured lender) have negotiated a an *Agreed Interim Order* (the “**Interim Order**”) providing for the use of cash collateral by the Debtor to fund the Debtor’s business operations through September 30, 2021 and permitting and authorizing the Debtor to access cash being held in the Debtor’s general operating account (the “**Operating Account**”) at PNC Bank, N.A. (“**PNC**”), either for transfer to the Debtor’s debtor-

¹ All capitalized terms shall have the same meaning as defined or otherwise used in the Cash Collateral Motion.

in-possession account at Metropolitan Commercial Bank or to directly pay approved post-petition operating debts (generally, the “**Interim Relief**”).²

3. Given the Debtor’s critical need to pay certain post-petition operating expenses, the Debtor requests that the Court schedule an expedited hearing on the Cash Collateral Motion for **Wednesday, September 8, 2021, at 1:30 pm.**

4. Counsel for the Debtor has conferred with counsel for the United States Trustee regarding the requested expedited hearing and has been informed that the United States Trustee reserves all rights to object to same.

Accordingly, for the foregoing reasons, the Debtor requests that this Court grant this motion and enter the proposed form of order attached hereto.

Dated: the 8th day of September 2021.

Respectfully submitted,

FISHMAN JACKSON RONQUILLO PLLC

/s/ Mark H. Ralston

Mark H. Ralston

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PROPOSED COUNSEL FOR DEBTOR
WC 717 N. HARWOOD PROPERTY, LLC

² The Interim Order is attached as Exhibit “A” to the Cash Collateral Motion. The Debtor’s request for authority to provide for the transfer of funds from the Operating Account to the Debtor’s debtor-in-possession account or to use those funds for the direct payment of critical debts has been necessitated by PNC’s reluctance to release funds to the Debtor absent court order.

CERTIFICATE OF SERVICE

This is to certify that the undersigned caused a true and correct copy of the foregoing document to be served on the parties listed below by email as indicated, and on all persons receiving electronic notice of filings in this case through the ECF system, on this, the 8th day of September 2021.

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/s/ Mark H. Ralston
Mark H. Ralston

CERTIFICATE OF CONFERENCE

The undersigned certifies that on December 7, 2020, he communicated with counsel for the United States Trustee and was informed that the United States Trustee reserves all rights with respect to the relief requested herein.

/s/ Mark H. Ralston
Mark H. Ralston